[CONTINUED FROM FIRST PAGE.] fornia a pack-horse, to be loaded down with whatever burden his allies may choose to place upon her back he would make her pay dearly corporated into her Constitution that thing so hateful to him, the Proviso of Freedom. He (Mr. W.) was for California, separate from all ther questions. He believed it due to that State, due to ourselves, and, above all, required by the voice of a vast majority of the freemen from whom

we profess to speak and act.
What, Mr. Chairman, is the spectacle presented here? After having acquired all the slave territory upon the continent—after having annexed Texas in hot haste, and at the hazard of the war which followed that act; now, sir, the free State of California, with a voting population larger than that of one half of the slave States—larger than Florida, larger than Arkansas, larger than Texas, larger, in my judgment, than either Mississippi or Louisiana—this free State is denied admission into the Union, only because she is free. Yes, sir, her only offence is, that she has prohil ited slavery within her borders. Those who now ask that action shall be had upon this subject, are denounced as men who desire to keep up a "miserable excitement" in the public mind. The gentleman from Illinois [Mr. McClernand] msy, n his conception of things, regard it as a miser ble vocation, for men to contend earnestly, serious-ly, manfully, for the advance of Freedom, for the triumph of truth. The gentleman may regard those efforts only as noble and praiseworthy, which are put forth in the cause of slavery propagandism, and which are rewarded with the smiles "miserable sgitation" indeed! to stand up here

utter unwelcome truths in the ears of lordly mas- the arts of the demagogue-with keeping alive ters, to expose the schemes of unchastened ambition, to labor earnestly to bring back this Govelevation to office. When have I been found bition, to labor earnestly to bring back this Gov-

He (Mr. W) could tell the gentleman from Illinois [Mr. McClernand] how this agitation, which he so much deprecates, might have been avoided. Had Representatives faithfully carried out the will of their constituents, the question of slavery in our Territories would have been settled three years ago, by the extension to them of that pro-vision of the Ordinance of 1787 which prohibits greatest in this nation, might well be proud; and, slavery except for crime. Of this there can be no

He (Mr. W.) has said before, and he repeated now, that when the Proviso was first introduced, there were but two Northern votes against it in this House. One was that of the gentleman from Illi-nois, and the other that of his then colleague, now excitement and agitation about which the gentleman declaims with such genuine Southern feeling, would have been avoided. The question would have been settled without agitation, without ex-citement; and, in my judgment, without leaving behind any very serious heart-burnings upon the feelings of our Southern friends. True, sir, they might have been ignorant of the merits of their distinguished champion, the gentleman from Illithat agitation which so alarms and disturbs the

Mr. Chairman, it has become quite common for certain gentlemen, distinguished alike for their patriotism and modesty, to claim for themselves broad and national, and slavery local and sectiontional institution, constituted, in the early days of the Republic, an established article in the republican creed. Hence, the efforts of Jefferson to circumscribe the limits of slavery—efforts glocloasly successful in the establishment of the Ordinance of 1787—by which freedom was secured to the State which the gentleman from Illinois rested like an incubus upon his own State. It would have gone there in defiance of the Ordinance, had Illinois, at the time of the adoption of the Constitution, been blessed, or cursed, (her people will judge which,) with a superabundance of that broad and comprehensive patriotism of which the gentleman boasts. Instead of that free labor, which is fast giving to Illinois prosperity and greatness, the negro slave would have loitered in idleness upon her fertile fields, or been driven by the lash to his thriftless and un-

He (Mr. W.) had followed in the footsteps of the fathers of the republican party. His efforts great political questions should be had been to circumscribe slavery within State limits-not to interfere with it there, but to resist its spread over the free Territories of the nation-to relieve the General Government from all responsibility for its existence or support, leaving it to rest, where alone it should rest, upon State sovereingty and State laws.

This question of slavery extension is a great pecuniary question-a question of capitalmoney. The immense capital invested in slaves, as effectually controls this Government as does the capital invested in the funded debt of Great Britain control that. The old proverb, that money rules the world," is as true in as in social affairs. The money invested in slaves wields the destinies of this boasted free Republic. It shapes its policy to its own ends, it elects its Presidents, and dispenses its vast patronage; it proscribes its enemies, and exalts its friends. So far as legislation and all the machinery of Government is concerned, it in truth and fact constitutes the Republic itself. Well-informed Southern men in this and in the other branch of Congress have estimated the amount of money invested in slaves at sixteen hundred millions of dollars. He thought the estimate a large one, but that the sum is large almost beyond computation, is certain. This wast money power, extend-ing over half of the Confederacy, and binding together in the bonds of a common pecuniary interest half the States, dictates law to this Re public, and rules with a despotism unrelenting as death. As a Democrat, he had ever been opposed to great moneyed interests The instincts of money are the same the world over-the same here as the most grinding despotism of Europe. Money is cold, selfish, heartless. It has no pulse of hu-manity, no feelings of pity or of love. Interest, gain, accumulation, are the sole instincts of its nature; and it is the same, whether invested in manufacturing stock, bank stock, or the black stock of the South. Intent on its own interest it is utterly regardless of the rights of humanity It would coin dividends out of the destruction of souls. Here, then, sir, we have sixteen hunds millions of capital-heartless, unfeeling capital intent on its own pecuniary advancement. It is here, sir, in these halls, in desperate conflict with the rights of humanity and of free labor. It is struggling to clutch in its iron grasp the soil of the country—that soil which is man's inheritance, and which of right should belong to him who labors upon it. Sixteen hundred millions of dollars demands the soil of our territories in perpetuity, for its human chattels—to drive back the free laborer from his rightful field of enterprise from his lawful and God-given inheritance. very must have a wider field, or the money value of fiesh and blood will deteriorate. Additional security and strength must be given to the holders of human stock. What though humanity should shrick and wail? Money is insatiate—capital is deaf to the voice of its pleadings. To oppose the extension of slavery-to resist in the councils of the nation the demands of this huge money power—to advocate the rights of humanity and of free labor, is, in the estimation of the gentleman from Illinois, to be sectional, and fanatical. To bow down to this money power-to to do its bidding-to be its instrument and its tool-is doubtless, in the esteem of the gentleman, to stand upon a "broad and national platform." Freedom and humanity, truth and justice, is a platform too narrow for his enlarged and comprehensive mind—the universality of slavery can alone fill its capacious powers. Slavery is Demo-cratic—freedom fanatical! Sir, the gentleman no doubt sees fanaticism in a bold and fearless advocacy of the right. With some minds, noth ing is rational and practical, except that which pays well. That slavery has heretofore paid well to those who labored in its service, he (Mr W) was prepared to believe. The history of this Government proves this. Its bills, however, have been at a discount since the Presidential election of '48. Its last draft for the Presidency was dishonored. Its credit is shaken as a prompt paymaster; and the gentleman from Illinois may

yet find himself in a fanatical position, expend-

yet find himself in a fanatical position, expending his great powers, without adequate reward.
He (Mr. W.) was educated in the republican
school. All his opinions upon political questions
were strongly tinctured with the doctrines of that
school. Nowhere in the teachings of the "fathers"
had he found it laid down, that Democracy consisted in wearing the collar of slavery about his neck—in bowing down to a heartless money aris-tocracy—in supporting the extension of slavery over the Continent. Such may be the doctrines of the gentleman from Illinois. He may best subserve his political ends, by standing shoulder to shoulder with the advocates of Slavery-Extension. He may esteem that man a demagogue who boldly stands up in the face of power, in defiance of all opposition, the advocate of truth, the inflexible apporter of principle. There are demagogues, however, who succumb to power; who flatter the strong, and deride the weak; who are always found in support of that policy best calculated to advance their interests; who are ready to change opinions with a change of dynasty; and who ever lean for support upon some strong, and, as they believe, controlling interest. The Slave Power has so long held ascendency in this Government, that certain gentlemen seem to think that their political fortunes are secure, only when they stand in close alliance with slavery. They lean upon it for support; they look to it for promotion; they tremble and turn pale at its frowns. Many fear to stand on the rock of Truth, unsupported save by a consciousness of rectitude and duty, who, sensible of their weakness, lean with their whole weight upon the strong arm of some great interest

Mr. Chairman, the continued.) I am charged opinion, the public weal would be promoted there-

ernment to the policy of its founders, to insist that the policy of Jefferson, and the fathers of the Republic, should be applied to the Territories of When have I abandoned principle, and taken refuge in the arms of any great moneyed interest for succor and protection? When have I proved false to my professions, or my pledges? Who is my accuser? No, sir, no; I have kept the faith; I have redeemed the solemn pledges given to a generous constituency-a constituency, sir, that have stood around me, and sustained me, with a sir, I would sooner stand against the assaults of a thousand such as the gentleman from Illinois than disappoint the just expectations of the humblest man who gave me his confidence and support. Does the gentleman from Illinois know anything about the district from which I come Has he ever informed himself as to the charac a member of the Senate, [Mr. Douglas ] That provision, which the gentleman has learned from his Southern allies to denounce as most infamous, not sayly received the approximation in the strongest Democratic districts in the State tives from the free States, but the unanimous and a class of persons who assail the Constitution, spontaneous approval of the people throughout every free State in this Usion. The people by unlawful means, then, sir, there are no Abolitionists, the gentures by unanimous resolutions endorsed it. Had them intends to be understood all such as are the public voice then been faithfully obeyed in this and the other wing of the Capitol, all that are all Abolitionists together. It is the most radical, thorough, inflexible Democratic district in the State; and has ever been true to the main tenance of the great cardinal principles of the Republican party-opposed to a high protective tariff, to a national bank, to extravagant schemes of internal improvement by the General Government, to a distribution of the proceeds of the public lands; and in favor of the independent treasury, and of every other measure with nois. The country might have never known that it held within its bosom one of such broad, such comprehensive, such exalted patriotism. This, he (Mr. W.) confessed, would have been a serious great questions. The Democracy of my district advocated the independent treasury, and a more to the gentleman from Illinois; but one which, he trusted, would have been cheerfully made, to avoid great measures had commended themselves to popular favor with the party in that State. I was with them then, I am with them now. It is a part of their faith, and a part which will not be compromised or surrendered, that slavery ought not to be extended over the free soil of this conthat they stand upon a broad and national plat-form; and to denounce all who do not take posi-part of their creed; and they will stand by it to tion with them, as narrow-minded, sectional, and the position. They will adhere to their princitional? He (Mr. W.) had been taught by the fathers of the republican school, that freedom was low no organization that has for its object the al. For this great doctrine he had struggled prostration of their principles. The gentleman here, and for this he should continue to struggled, with all the feeble powers God had given him.

This great doctrine of the universality of freedom, as one the inalienable rights of man, and of That State will then have taken its position perdo not believe that they will allow the gentleman from Illinois to excommunicate them from the Democratic party; nor will the demonstrations of the entire South movethem one jot or tittle from their principles.

I have said, Mr. Chairman, in my judgment to the State which the gentleman from Illinois | this whole controversy would have been settled | Mr. McClernand | in part represents. But for | without agitation, and without this protracted this Ordinance, which the gentleman now denounces as infamous, the curse of slavery would have endangers the stability of the Union, had the endangers the stability of the Union, had the Representatives from the North faithfully carried out the will of their constituents. I do not intend this remark as a reflection upon the gentleman from Illinois. His district, for aught I know, may be as pro-slavery as himself. It is not my purpose, Mr. Chairman, to reflect upon the motives or conduct of any gentleman in this House. It would be out of order for me to do so; yet I cannot but feel, that the true way to settle existing controversies is not by patched-up compromises which ought to have, and can have, no force, if made against the public sentiment of the country. The principles upon which this controversy should Jefferson; he had travelled in the beaten tracks of be settled are the same as those upon which all Government like our own - by an honest and faithful representation on this floor, and in the other branch of Congress, of the voice of our re-spective constituencies. Let every man vote as his constituents desire him to vote—as it was un-derstood he would vote when a candidate for an election to a seat in this Hall - then, sir, you would have expressed the voice of the country A settlement upon such a basis would standwould command respect. It would be in harmony with the spirit and genius of our institutions. Upon this basis alone ought all great questions to be settled; and had it been faithfully acted upon, the present controversy would never have had an existence. The question of slavery in our Territories would have been long since settled, and settled on the side of Freedom. But it would seem that a different atmosphere prevails here from that which gentlemen breathe at home. We have here political combinations looking to the Presidency, and to the patronage dispensed from that high office. Men become the mere partisans of Presidential aspirants, instead of the faithful representatives of the People. Party interests and party success exert a controlling influence over the deliberations of Congress. It is but a short time since, when the Representatives from the North, who occupy seats on the other side of this House, were, to a man, the advocates of positive legislative probibition against the extension of slavery. Ay! sir, it was an "old principle of the Whig party! A devoutly-cherished doctrine! They had always opposed the controlling influence of slavery in the Government! The Democracy had always courted and succumbed to the Slave Power." Such, but a short time ago, was the universal language of Northern Whigs, in and out of this House. I well remember with what alacrity and zeal they walked up to the vote—always ready, always anxious. It was not then premature—there was no dodging in those days. Who so blind as not to see that a great days. Who so blind as not to see that a great change has come over the leaders of that party, and the representatives of that party on this floor?

After having obtained power by professions of signal and lasting devotion to Freedom, they now seek to retain it by compromises with Slavery.

They are now willing to abandon the old policy of enforcing the Ordinance of 1787. Indeed, they the late Executive. The new dynasty, it is said, favors a different policy; it is disposed, so says rumor, to take passage in the Omnibus, which has been lumbering its way for months through the Senate. If this be so, we shall soon see a corresponding change in the position of party leaders. Leaders can change to order—the People are not so facile. The masses expect nothing, ask for nothing, from Government, except just and whole-

> policy restored, they want scourities and guaran-tees for Freedom—they want the Jeffersonian Ordinance reënacted. If, by the force of circum-stances, our Territories should be preserved from the threatened encroachments of Slavery, and finally be admitted as free States, (a result which non-action leaves to the hazard of chance,) still slavery will have triumphed, if we fail to assert the rights of freedom. The policy of this Govern-ment should be settled now and forever, against the further extension of slavery. This is ren-dered necessary by the startling demands of sla-very, of its right to extend wherever the flag of the Union floats.

some laws. They love principle, and follow it with earnest and honest purpose, unless misled by ambitious and selfish men. They want the old

ambitious and selfish men. They want the old policy restored, they want securities and guaran-

hear me, and to the whole country. It will stand in history, and the shameful record will also be written, that some were faithless to those pledges-that they sacrificed principle and honor, to the free States, on the opposite side of the House, who, when elected, were not understood by their censtituents to be in favor of legislative action against the extension of slavery. The same true of a large majority of the Democrats. know of some who gave their solemn pledges in writing, to stand by the principle to the last, and against all compromises, who have publicly de-clared their purpose to abandon it. This, sir, is shameful; yet it is by such treachery as this, that slavery is to gain a triumph. If the Ordinance of freedom is to be thus defeated, it is not by the voice of the people; it is defeated by the betrayal of their representatives. And is such a betrayal of high trusts to be dignified with the name of "compromise?" Do gentlemen expect such a settlement to stand? Is this the way in which peace is to be restored to the country? Are the people to be cheated, and then called upon to thank as public benefactors those who defrauded them? A distinguished Senator-he again who "treads no step backward"—in a recent speech, labored ear-nestly to prove that it was the duty of a representative to violate his instructions, to disregard

tive—he who religiously observed his pledges, who faithfully and honestly, by his speech and votes, carried out in these Halls the views of his constituents-was a slave himself, and that a proviso was needed to free such a one from bondage Sir, neither great talents, nor exalted position, can sanctify such doctrines. They strike at the foundations of our system of Government. They are anti-republican, anti-American. The Sena tor himself gave us a shameful example of their mischievous influence, when he surned his back upon the unanimous instructions of his own State. I subscribe to no such sentiments. I tolerate no such doctrines, in politics or in morals. I can respect, may more, I can applaud the man who votes for slavery, when I believe he is fairly reflecting the principles and feelings of those he represents but I have only loathing and contempt for him who, by false professions, obtains a high place, and then betrays the confidence reposed in him. Mr. Chairman, I do not desire agitation; but I cannot consent to avoid it, by a tame and silent submission to wrong. I will not see, without a struggle to avert it, this Government, established by the price of blood, upon the great foundations of Freedom, subverted to the accursed purpose of the extension of shivery. Its power sha wielded to such ends, if by any humble efforts of mine I can prevent it. So long as there can be Cand rook mea in the North as the gentleman from Illinois, to stand here and do the work of

slavery, so long there will be agitation—an agita-tion that, by-and-by, will reach the constituents of the gentleman, and light up the fires of Truth and Freedom in his district. When that day comes, as it surely will come, we shall hear n more of the gentleman from Illinois, and the like A great truth cannot be trampled in the dust-

great principle of right cannot be broken down reedom will live-truth and justice will livelive in the hearts of men-live in the attributes of God—live forever.

This Government is not a government of sla

very, but of freedom. We hold that slavery is not a national institution-that it should be kept within the limits of the States where it is tolera ted; and these are doctrines which no pretended compromise can crush-no political combinations

put down.
In the last Presidential contest, the South brought to bear the influence of this sixteen hundred millions of slave property. She declared that no man should receive her support for the Presidency who did not bow down in abject and slavish submission to this mighty power of the South. Northern aspirants for that high office humbled themselves in the dust, but they failed of the reward. The price of shame and of humiliation was not paid, and I trust in God that it never will be paid. The ambitious and aspiring must learn that they cannot reach the Presidency by a aceful remedy—the remedy of the ballot-box. shall not fear to resort to it, whenever occasion requires its application.

Mr. COBB, of Alabama, (Mr. Wilmor yield-the floor.) I wish to ask the gentleman if he uld vote for any man for the office of President who was the owner of slaves. Mr. WILMOT. Certainly sir-most cheer

fully, if he agreed with me in principle. I make principle the guide of my political action. Principle, and principle alone, controls my votes; not the location of candidates, or the nature of the property they may hold.

Mr. COBB. Would the gentleman own a slave

Mr. WILMOT. I have no wish to be the own er of one. God forbid that I should ever be placed in circumstances where my interests or conveni ence should tempt me to become the owner of one. Upon this subject I confess that my moral sensibilities are not as keenly alive to the wrongs of slavery as they ought to be. I am not so good a man as I wish I was. I wish that I could feel for the wrongs of others as keenly as I feel a wrong when inflicted upon myself. I make no pretension to any such exalted virtue. Gentlemen who have done me the honor to listen to my speeches upon this subject, will remember that I have nev-er discussed this question in its moral aspects. That task I have left to others, better able to do it justice. I have examined it as a political question-as a question affecting the rights of the people, and the policy and character of the Gov-ernment. Apart from all moral considerations, I am opposed to the further extension of slavery, as a political evil of the first magnitude. Slavery is anti-republican—it is aristocratic in all its tendencies and results-it is subversive of those great principles which lay at the foundation of all free Governments. It is a great moneyed interest— a vast pecuniary capital, with the heartless instincts of capital, and I am deadly hostile to the control of capital in this Government. It is in theory, and should be in practice, a Government of the people. It belongs to the free masses of the country. It is theirs to enjoy, to defend They have a right to mould it to their pleasure, to de-termine its policy, to direct it to the advancement of their happiness and prosperity. Slavery seeks to wield it to its own selfish ends—to the support and perpetuation of its vast capital in human and perpetuation of its vast capital in human flesh and blood. I oppose the extension of slavery, because it is an element of weakness in States. I speak with no feelings of unkindness towards the South, but I utter my earnest convictions when I say, that the South is weak—weak in all the elements of strength and greatness—weak to resist a foreign foe, and only weak because of the institution of slavery. It is the men who perform the labor of a country that must defend it in the hour labor of a country that must defend it in the hour of danger. The men who perform the labor of the South are slaves. You dare not place the means of defence in their hands. You dare not give them arms, and teach them their use, lest they turn them against yourselves. If your young and able-bodied men go to the field in large numbers, you leave your families, your womer and children, exposed to a terrible enemy at home this reason I am opposed to its extension

Another reason: notwithstanding the vast increase of slavery in the last sixty years, I entertain the hope so ardently cherished by our fathers, of its ultimate extinction. I look forward to some day—remote it may be—when the South, in its own way, and by its own voluntary action, will set about the great work of emancipation, and the separation of the two races; in which work, I trust the North will cooperate to the full extent of its resources and power. The day must come, or there will be a night of terror and of blood. Slavery cannot be eternal. I cannot contemplate the prospect of perpetual slavery, without seeing the future of my country shrouded in darkness and in gloom. The extension of slavery will post pone the day of deliverance—magnify its difficul ties, if, indeed it does not make them insurmountable. Slavery I have before stated to be a pecuniary question—a question of capital, of dollars and cents. This is the light in which it is viewed by the master; to the slave it is a question of liberty, and of all a man holds dear and sacred. It will continue so long as it is valuable—so long will those who have property in it, hold on to slavery with a grasp that cannot be broken. Every one acknowledges that slavery would become valueless much sooner, if confined to its present limits, than # extended over a wider space. This, Southern gentlemen tell us, is the reason why they are determined to extend it; and they charge upon us, who are opposed to its extension, a desire to us, who are opposed to its extension, a desire to bring about abolition, by hemming them in, and bringabout abolition, by hemming them in, and thereby making their property worthless. We done wrong to our Southern friends in opposing souther and more sudden change awaits them. General Taylor is dead. The brave and honest old chief reposes in the grave. He has no more favors to bestow; the mantle of his power has fallen upon another. A late Senator, he who "treads no step backward," is elevated to the premiership. Henceforth his word is to have a magical influence and power. As Senator, and Taylor living, it had lost its charm; as premier, it is to be potential. I shall expect to see his dis-

coveries in "physical geography" adopted by the faithful. We shall see, sir, what we shall see. Whatever course gentlemen may adopt, one thing is certain, that a large majority took their seats in the present Congress, pledged to the support of the Proviso. This fact is known to those who have need to the support of the Proviso. This fact is known to those who have need to the support of the proviso. This fact is known to those who self become worthless as an element of property They see clearly that at no distant day they be compelled, by the force of natural laws, to com-mence the work of emancipation, unless that day is put off by the opening of new fields for slave labor. Sir, I would not obstruct the operation of God's laws. I certainly would not interfere to save slavery from their influence. Looking, as l do, to the day of our ultimate redemption from this curse, I wish it to come before the evil shall have grown to such giant propor ions as to defy our efforts for a peaceful deliverance. I do not wish the evil to grow beyond our control. We might, by a mighty effort, solve peacefully, and without blood, the problem of slavery, with ten millions of blacks. No human power can solve it with fifty or a hundred millions. It would break in fragments the strongest Government on earth ; it would produce scenes of commotion, strife, and blood, such as the world never saw. . Why will gentlemen bring certain and wide-spread ruin upon the country? It is the spirit of selfishness that invokes this destruction upon our land-the selfishness of great interests, the selfishness of capital, blind to everything but its immediate and proximate interest. For resistance to this spirit of selfishness, for seeking to avert from my country this terrible doom, I am assailed by the gentleman from Illinois, in borrowed with i studied depunciation. Mr. Chairman, talk as gentlemen may, there is

people in the free States to resist, 59 every lawful and constitutional means, the extension of slavery.

They may be betrayed by their representatives— I fear they will be; they may, for a time, be mis-led by those in whom they have placed confidence—party leaders may lick the dust at the bid-ding of slavery, may kiss its bloody hands—party organization may be used to crush the advocates of liberty-yet, sir, the great heart of the people beats for freedom. Gentlemen will learn that a cheat is no settlement—that a betrayal of trust is no adjustment of difficulties-that the arrangements of Presidential aspirants is no compromis Agitation is not to be quieted by the perpetration of wrong. The friends of freedom will counsel no resistance to established law; but they will no resistance to established law; but they will not cease to appeal to the judgments and the hearts of men, in behalf of righteousness and truth. Gentlemen want peace, quiet. Cease to urge a wrong, and you will have a peace. What is the quiet they want? Freedom from agitation on the subject of slavery. I will tell gentlemen how they can have quiet on this subject: Separate the General Government from all responsibility for the existence or support of slavery. Keep for the existence or support of slavery. Keep your institutions within your States, and you will ore no agitation. Cease to exert the sporter of slavery in this Government-immolate no more Northern mes. You provoke agitation by the in-justice of your demands. You declare your pur-pose to extend slavery into free territory, and when we offer resistance, when we demand for freedom the protection and security of law, you cry out against agitation. You ask us to reverse the policy of the Government in behalf of slavery and its interests, and because we refuse, you com-plain of injustice and wrong. We are struggling to maintain, against your encroachments, the early and settled policy of the Government. I stand upon this question of slavery extension, where Jefferson, and Madison, and Henry, stood sixty years ago. Were they now living, they would advocate the policy I have advocated. They did so, in their day and generation. They would

do so now.

It is the vast increase of this slave capital which has taken place in the last half century, that creates all our present difficulties. From two hundred millions of dollars it has grown to sixteen hundred millions. This immense capital is strug-gling for perpetuity and power. It wishes to make slavery eternal. This is your fanaticism, gentlemen of the South—the fanaticism of slavery—of sixteen hundred millions of dollars! It is a cold, calculating fanaticism. It feeds on the souls and blood of men. Talk to me about fanaticism! May God preserve me from the fanati-cism of slavery—from that fanaticism which for-gets humanity and its rights, in the pursuit of an all-absorbing selfishness.

Mr. Chairman, I have been led almost uncon-sciously into these protracted remarks. I con-templated but a few words when I arose. My the friends of free stitution and to the Government of their country—loyal, err, and true. They desire action on California—that great question, which, more than any other, engrosses the mind of the nation. It any other, engrosses the mind of the nation. It is a shame—a personal dishonor to Northern men—that California is not yet admitted into the Union. Why this protracted delay? Why this continual postponement of a measure which they all profess to favor? Are gentlemen afraid to act? Are we cowards, that we dare not perform our constitutional duty? Do we fear to take our constitutional duty? Do we fear to take let us have done with this timid, this cowardly policy. Let us act. There is honor and safety in action-dishonor and danger in further delay. The gentleman from Illinois is waiting the action of the Senate on the "Omnibus bill" After eight months of the session is exhausted, he is for giving time for slavery to mature its plans. When slavery is in danger, the gentleman is ever ready and prompt in action. No measure of slavery was ever delayed an hour for want of the gentleman's aid. Freedom must stand back, and nly enter these Halls in the manner and at the

hour slavery shall dictate.

I wish that the vote of to-day should arrest the attention of the country. Let it be known throughout the length and breadth of the land, that the consideration of California was post-poned, to make way for an appropriation bill for the support of the Military Academy at West Point—a bill which there was no occasion for pressing upon our attention, and which could have been acted upon a fortnight or a month hence, without any detriment to the public service. This was done by the votes of the South, united with the great body of Northern Whigs, and a few Northern Democrats. California postponed, after eight months' delay, by the strong vote of ninety-three to sixty! Yet, in the face of this vote, men will go home and try to make their constituents believe that they were friendly to the early and unconditional admission of

DEBATE ON THE "HIGHER POWER."

In the Senate of the United States, July 26, 1850. Mr. Seward having delivered a speech in sup-

port of his proposition to admit New Mexico as a

Mr. PRATT. I desire to say a word, sir, as to what I conceive to be the most extraordinary proposition ever submitted to this body. I apprehend that such a proposition would not have emanated from any other source than that from which it has some. I feel confident that when the yeas and nays are taken, as I intend to move before I take my seat that they shall be, the Senator from New York [Mr. SEWARD] will stand alone; because I am sure that there is no other member of this body who has at least advanced openly to the body his utter disregard of the Constitution and his oath to support it. Upon two occasious, as it is known to every member of the Senate, the Senator from New York has announced here that from the origin of this Government there have been two organized principles, warring one against the other, which must result in the course of time in the destruction by the more powerful of those principles of the other. The principle of human liberty, as he terms it, and the assumption in the Constitution of the universal equality of man, he has avowed to be the higher law, which he feels himself constrained to obey, although it may conflict with the express provisions of the Constitu-tion and his oath to support that instrument. For example, he believes and admits that the Constitution of the United States positively prohibits the Congress of the United States from abolishing slavery within the States. Yet inasmuch as this higher law, this principle of human liberty, comes in conflict with that constitutional prohibition, he says that he should be bound by this higher law, says that he should be bound by this higher law, and he would diaregard the Constitution of his country; he would diaregard the oath which he has taken to support it before he took his seat here; and he would vote for that admitted unconstitutional act—the abolition of slavery within the States of this Union. I think, then, Mr. President, that I am right in assuming that no other Senator upon this floor would have effered the proposition upon which I am now about to comment; because it is in every one of its features directly subversive of every constitutional prodirectly subversive of every constitutional pro-vision in reference to the formation of States. Mr. Seward (interposing.) Will the Senator allow me a word of explanation?
The President. Does the Senator from Mary-

Mr. S. states that he understood Mr. P. to have added the words, "when it conflicts with the Constitution," and replied accordingly.—Rer.]
Mr. PRATT. Then, sir, he denies, Mr. dent, what every man knows he has said. I have heard him say it over and over again; and the Senator's denial does not make untrue what I assert I have heard him say, that there was a

higher law.

Mr. Seward (in his seat.) I do not deny that

Mr. Pratt. I call upon every Senator who
hears me to say whether the Senator from New York did not say there was a higher law; a higher law than the Constitution, which he felt bound to obey when it came in conflict with the Constitution.

Mr. SEWARD (in his seat ) I did not. Mr. PRATT. I call upon any Senator upon this cor, other than the Senator from New York, to

deny that he said so.

Mr. Baldwin. As the appeal has been made to other Senators, I must say, simply, that I did not understand the sentiment uttered by the Senator from New York as it has been stated by the

Senator from Maryland.

Mr. Foots (in his seat.) Everybody else did.

Mr. Pratt. I do not know what the Senator from Connecticut means by this disavowal. If he means that my commentary upon what the Senator has said is not exactly correct, that may be so But that Senator cannot deny that he heard the Senator from New York say there was a higher (a.w than the Constitution, which he felt bound to obey when it came in conflict with the Constitution.

Mr. Baldwis. I happen not to have a copy of the speech of the Senator from New York here, and I cannot of course be expected to give the pre-cise words. I understood the Senator to state that there was a higher law than the Constitution, which was in harmony with the provisions of the

Mr. PRATT. Now, Mr. President, it will be in the recollection of every one who hears me, that in the second speech which was made by the Sen-ator from New York—one which displays all that preparation which I think every Senator should give to everything they are about to utter in this body—which, if it had been displayed in a better cause, would have been worthy of his country— he reiterated the sentiment contained in his first speech, and then uttered the sentiment I have stated, that there were two antagonist principles ingrafted originally in the Constitution, and those two antagonist principles were the alleged equality of man and the principle of domestic slavery—the recognition of domestic slavery.

Now, Mr. President, he avowed further, and I

think that every one here will agree with me, that whenever these antagonist principles of which he was speaking came in conflict with the Constitution, the higher law would be obeyed by minut preference to the Constitution itself. I have spoken of this matter to all the friends of that Sepator, and this is the first time I ever heard any one say he understood him differently from what I have stated. I have mentioned it to them what I have stated. I have mentioned it to them with the announcement of the intention on my part to move the expulsion of that Senator as a member of this body. I have stated that when that Senator took his seat here, he was bound, as we were, to comply with that article of the Constitution which says that Senators, before they take their seats, shall swear to support the Constitution. I have said to them that if, when he came to the book to take that oath, if he had refused to take the cath he could not have taken fused to take the oath, he could not have taken his seat; or if he had promulgated to the Senate the reservation which he now makes or has hitherto made, with reference to this superior law, so as to make invalid that oath, there is not a Senator that would have permitted him to take it. Therefore, sir, if he had not concealed his understanding of the obligations which he was about to take upon himself, be would not have been per-mitted to take his seat here. I contended for this with his friends, and none of them said I was wrong in the facts. I contended that with these opinions we ought to turn him out of the body, as he never should have taken a seat here. Mr. President, I now come to the amendment,

which is this Insert after the word "That," in the first line,

the following:
"New Mexico shall, on proclamation by the President of the United States, be admitted son it is the duty of the people to teach them.
This is the only remedy for doughfaceism—it is a sure and certain cure; it is a constitutional, a and to repel the charge brought by him. before issuing such proclamation, shall be satisfied that the Constitution recently framed by the Con-vention of New Mexico has been approved and appropriation bills. They have never entertained such a thought. They are loyal to the Contion held for the purpose of considering it, on the tion held for the purpose of considering it, on the 20th June last."

Here, then, sir, is a proposition that Congress should admit New Mexico as a State into this Union with a Constitution which Congress has never seen, establishing boundaries not kn the Senate or to any one else; that we should direct the President of the United States to proclaim the admission of New Mexico as a State, with whatever boundaries she may choose to assume, even if they include half or two-thirds of Texas and whether that Constitution is republican in its form or not, provided he shall believe that the people of New Mexico are willing. Therefore, if they have established a Government not republican in its form—a kingly Government—the provision of the Constitution which says that we shall admit no State which is not republican in its form, or if by its boundaries it includes a part of Texas, that provision of the Constitution which prohibits separating from the limits of any State, without the assent of that State, are to be disregarded, and New Mexico is still to be admitted as a State by proclamation, although she does segregate parts of other States without the assent of those States, and although her Constitution may not be in a republican form. Am I not right, then, in saying that no one—except the Senator from New York—entertaining his opinions, could submit a proposition like this? Am I not right in saying that there is no Senator upon this floor and I ask the yeas and nays to see if there is any one—who will vote for an amendment directly violative of these two clauses of the Constitution

Mr. President, I have desired upon all occa sions, and I am sure that it is still my determination, to cultivate toward my brother Senator feelings of harmony and respect, so far as I am capable of entertaining them. I will not say—I will not pretend to say—that such feelings can be entertained by me with reference to such a proposition as this, or to the member of the Senate who made it.

to which I have referred?

Mr. DAYTON. Mr. President-THE PRESIDENT. Did the Senator from Mary land ask for the yeas and nays? Mr. PRATT. Yes, sir. Mr. DAYTON. Mr. President, I have a request-

THE PRESIDENT. The Senator will suspend until it is ascertained whether the yeas and nays are ordered. The yeas and mays were then ordered

Mr. DAYTON. After the yeas and nays are or dered, the request that I have to make cannot be complied with. I meant merely to ask the Sens tor from New York whether it would not be bet ter for him to withdraw his proposition

Mr. CLAY (in his seat.) I object. Mr. PRATT (in his seat.) The yeas and nays

Mr. SEWARD. If there is any proposition I have ever made, any measure I have ever proposed, which I am willing to stand by here, before the country and the world, it is the proposition I have now submitted. Therefore, though I stand alone, I shall be content, convinced that I stand

right.
I do not propose to reply to what is personal to myself in the remarks of the honorable Sena tor from Maryland. I have nothing of a persona character to say. There is no man in this land who is of sufficient importance to this country and to mankind to justify his consumption of five minutes of the time of the Senate of the United States, with personal explanations relating to him-self. When the Senator made his remarks, I rose self. When the Senator made his remarks, I rose to express to him the fact that he was under a misapprehension. The speeches which I have made here, under a rule of the Senate, are recorded, and what is recorded has gone before the People, and will go, worthy or not, into history. I leave them to mankind. I stand by what I have said That is all I have to say upon that subject.

The Senator proposes to expel me. I am ready to meet that trial too; and if I shall be expelled, I shall not be the first man subjected to punishment

The Senstor proposes to expel me. I am ready to meet that trial too; and if I shall be expelled, I shall not be the first man subjected to punishment for maintaining that there is a power higher than human law, and that power delights in justice; that rulers, whether despots or elected rulers of a free people, are bound to administer justice for the benefit of society. Senators, when they please to bring me for trial, or otherwise, before the Senate of the United States, will find a clear and open field. I ask no other defence than the speeches upon which they propose to condemn me. The speeches will read for themselves, and they will need no comment from me.

Mr. President, the objection which is made to the proposition which I have submitted to the Senate is this: that it may bring into the United States a royal or kingly Government. Sir, here is the Constitution of New Mexico, I have just as good evidence to satisfy me that this is the real Constitution of New Mexico, as I had to satisfy me that the honorable Senator from Maryland had been elected a member of this branch of the Legislature when I heard his credentials read.

Now, sir, I am prepared to answer the only argument of the honorable Senator from Maryland Senator from Maryland

that he has said and reiterated here that there is a law above the Constitution, which he felt bound to obey? Does he deny that?

Mr. Seward. Yes, air, I deny that.

[Mr. S. states that he understood Mr. P. to have] gins with these words:

"We, the people of New Mexico, in order to establish justice, promote the welfare, and secure the blessings of liberty to ourselves and our posterity"—

This, so far, is the language of the Constitution of the United States. Then it proceeds to utter what the Senator from Maryland will consider a dangerous heresy:

"Acknowledging with grateful hearts the goodness of the Sovereign Ruler of the Universe, and imploring His ald and direction in its accomplishment, do ordain and estab-ish the following Constitution:"

We see that here are a people who acknowledge a higher power than the Constitution.

Mr. Pratt (interposing) Does the Senator near to say that I consider that a heresy?

Mr. Seward. I say that the Senator charac-terized what I said as heresy when I expressed recisely this opinion.

Mr. Pratt. Will the Senator yield the floor

tor notice that I shall make no answer. Mr. Pratt. Mr. President, when one asserts, am sorry to say, what he knows to be untrue— Several Senators. Order! order! Mr. PRATT. I beg pardon, Mr. President— Mr. SEWARD. I hope the Senator may be per-

Mr. SEWARD. Certainly; but I give the Sen-

itted to proceed.

Mr. Pratt. I was about to say, that when a Mr. Pratt. I was about to say, that when a Senator makes an application to myself which is not correct, with the assertion upon the part of that Senator that nothing which I can say will induce him to reply, I feel that proper respect to myself should induce me to say nothing.

Mr. Seward. These people of New Mexico then say they have "established a Government."

then say they have "establishing Justice, securing for the purpose of establishing Justice, securing the blessings of Liberty for themselves and for posterity, and that they acknowledge the super-intending power of the Sovereign Ruler of the Universe, and invoke His blessing."

Now, let us see what kind of Government they

make. They form themselves into a free and independent State, by the name of New Mexico. The next question is whether they have established a "kingly" Government. This may be learned from their declaration of rights:

"All men being born equally free and independent, a aving certain natural, inherent, and inalienable righ nongat which are the enjoying and defending of life a smongat which are the e-porting and detending the liberty, the acquirement, possession, and protection of pr perty, and the porsuit of and attainment of happiness: therefore no male person shall be held by law to serve any person as a servant, slave, or apprentice after he arrives at the age of twenty one years; nor female in like manner, after the arrives at the age of twenty one years; nor female in like manner, after a service and the property of the service are the arrives at the arrives at the service are the service and the property of the service are the service and the service are the servic

uge of twenty one years; nor female in like manner, after the arrives at the age of eighteen years; unless they be bound by their own consent, after they arrive at such age, or are bound by law for punishment of crime.

"All power is inherent in the people; all free Governments are founded in their authority; they have therefore an indicated and indefeasible right to institute Government, to siter and reform, or to totally change the same, when their acts or happiness requires it."

Well, sir, so far this is sound republicanism; it is the republicanism of the British Constitu-

it is the republicanism of the British Constitu-tions of 1640, of 1688, and the American Consti-tution of 1776. Well, have they established a King, with an hereditary aristocracy to exercise the powers of government? No, sir; quite the

"The powers of the Government of the State of New Mexico shall be divided into three distinct departments, and each of them conflided to separate bodies of magistracy, to wit: Those which are legislative, to one; those which are judicial, to another; and those which are executive, to an-

other
No person or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in those instances hereinafter

either of the others, except in those instances nervinater expressly directed or permitted.

"The legislative powers of the Sta'e shall be vested in two distinct branches; one to be styled the Senate, the other the "louse of Representatives; and both together the Legislature of the State of New Mexico. The style of all laws shall be, Be it enacted by the Legislature of the State

Legislature of the State of New Mexico. The style of all laws shall be, Be it enacted by the Legislature of the State of New Mexico.

"The members of the House of Representatives shell be chosen by the qualified electors, and their term of office shall be two years from the day of their general election; and the session of the Legislature shall be held annually, at such time as shall be prescribed by law.

"The Senators shall be obseen by the qualified electors for the term of four years, and shall be divided by lot into two classes as nearly equal as may be.

"The Governor and Leutensent Governor shall be elected by the qualified electors of the State, at the time and places of choosing members of the Legislature.

"The judges of the Supreme Court shall be appointed by the Governor, with the consent of both Hauses of the Legislature in joint ballot; and shall hold their offices for the term of six years, and until their successors be duly nominated and qualified."

"A general diffusion of knowledge being essential to the preservation of the rights and liberties of the people, it shall be the duty of the Legislature of this State to make suitable provisions for the support and maintenance of public schools.

'The Legislature shall, at an early a day as practicable, establish free schools throughout the State, and shall furnish means for their support by taxation; and it shall be the duty of the Legislature to set apart not less than one-twelfth of the annual revenue of the State, derived from taxation, as a perpetual fund, which fund shall be approviated to the appropriated to the appropriate dut he appropriated to the appropriated to the appropriated to the appropriated to the support of free public schools, and no law aration, as a percent indi, which indi shan on appropriated to the support of free public schools, and no law shall be made diverting said fund to any other use.

"Every male person of the age of twenty-one years or apwards, (Africans or the descendants of Africans, and univitised Indians. excepted,) belonging to either of the following classes, and who shall have resided in this State for

wing classes, and who shall have resided in this base of ix months next preceding any election, shall be a qualified lector at amb election: "First. Citizens of the United States residing in this

"First. Citizens of the United States residing in this State

"Second. Persons who elected to remain citizens of the Republic of Mexico according to article eighth of the treaty of peace, made and concluded between the United States of North America and the Republic of Mexico, at Gundailupe Hidaigo, and ratified by the Congress of the United States of the thirtieth day of May, A. D. 1848, and who shall have taken, at least six menths preveding any election, before a cierk o any court of record in this State, an oath renouncing and abjuring all allegian or fealty to the Government of the Republic of Mexico, and to support the Constitution of the United States and of this State.

"Third. Persons of foreign birth, not referred to in the two preceding clauses, who shall have declared their intention to become citizens of the United States, conformably to the laws of the United States, conformably to the laws of the United States on the subject of naturalization.

zation.

"No soldier in the army of the United States shall be entitled to vote in this State."

This, then, is the Constitution of New Mexico. It is a republican Constitution, and the argument

of the Senator from Maryland against the admission of New Mexico is refuted.

Mr. Dayron. It is no part of my duty to make any comment upon any course which any Senator may think in his best judgment to be advisable; but I cannot but feel that when we are acting jointly in reference to a measure, we have some-thing in common, and that there is something due to each other; and it seems to me that it would have been better if the Senator from New York had consulted the views of those who have concurred generally in their action upon this measure, and have avoided offering this proposition at this time. This amendment belongs alto-gether to a different line of policy, and the whole effect of offering it at this time is to put the vote before the country infinitely feebler than if the proposition were to stand alone. Why, sir, I cannot vote for this amendment, while at the same time I do not want to vote against the admission time I do not want to vote against the admission of New Mexico as a State, as an alternative. I cannot vote for this amendment to the bill; and I put it to the Senator from New York, what is the effect of this amendment, supposing you pass it and incorporate it in this bill? Why, sir, you adopt your own amendment, and this main line of policy; and the Senator himself and others will have to vote against the Omnibus bill. Now, in what position are we placed? I submit, with very great respect, that it would have been better and easier not to have mixed up this question with the Omnibus bill. Let us stand alone upon our own or a different policy. I do not wish to vote for this bill. I do not wish to vote against the admission of New Mexico as a State, under proper circumstances, as a mere alternative.

of New Mexico as a State, under proper circumstances, as a mere alternative.

But I am unwilling to vote for this amendment for another reason. I do think this matter is premature. I am unwilling to transfer to the President of the United States, or to any other power on earth, that right which the Constitution has imposed on us to judge whether the Constitution of a State offering herself here is republican or not. The Constitution of the United States makes it necessary that Congress should pronounce upon that question. How, in the name of God, can we transfer that constitutional duty to the Executive, and then satisfy our consciences and our constitutional obligations to that Constiand our constitutional obligations to that Consti-tion? I cannot do that yet.

and our constitutional congations to that Constition? I cannot do that yet.

Again: I am unwilling to place the onus of
judging the question of boundary, and other provisions of this Constitution, upon the President.
This amendment only says that if the President
shall be satisfied that the people of New Mexico
have approved of some Constitution, (what Constitution it does not say, and we do not know, because the paper from which the Senator has read
has no official character,) he shall admit them as a
State by proclamation.

Mr. President, I regret very much that the Senator should have felt it his duty to embarrass us in
this matter. I do not complain of it, because he has
exercised only his just and legitimate rights upon
this floor. The effect of this thing is to drive
those to vote against New Mexico, with the admission of California, who, if the question were
separated and stood slone, and she, with her republican Constitution, properly authenticated,
came forward, would feel themselves bound to vote
for it. I cannot vote for her in this bill, because, for it. I cannot vote for her in this bill, because, if the amendment were adopted, you would drive is for these reasons I would very much have pre-ferred it, if it would have suited the Senator to

have had this proposition withdrawn.

Mr. SEWARD. I regret very much that the Ser Mr. Seware. I regret very much that the Senator from New Jersey has been embarrassed by this proposition. He sees that I have not the power now to withdraw it, however much I might desire to do so. At the same time, I do not find that difficulty in the case which seems to lie in the Senator's way. He says he must examine the Constitution for himself, and not delegate it to the President of the United States. I have referred nothing to the President of the United States, but to ascertain as a historical fact whether the Constitution has been ratified by the people of

New Mexico, in a convention held on a certain day for that purpose. The Constitution will then come up for our adoption. I stated in the outset that it was not myself who was responsible for the premature presentation of the proposition—that this bill, if it passes, is a bill which is to shut the doors against New Mexico when she shall come here with her Constitution in her hands, and with her delegates here, to maintain and support her rights. She is turned adrift without making her appearance, and therefore it is that I am prepared appearance, and therefore it is that I am prepared, for one, upon the information I have, to go for her admisssion in order to secure her her righte. Other Senators may act as they in their discretion may think right and proper. They will have their own reasons, I have no doubt, to justify themselves to their constituents in regard to the vote they shall give. they shall give.

Mr. Hale. I concur with the honorable Sen-ator from New Jersey in what he has said in re-gard to the amendment of the Senator from New York, as a reason for not voting for it. I cannot vote York, as a reason for not voting for it. I cannot vote for the proposition for another reason, which he has not adverted to; and that is, because those of us who have contended against the piling of incongruous measures in one bill, should preserve our consistency, if it is worth preserving, (I do not myself consider it of any very great value,) and go against increasing the load; for if California's back was bent by what was already piled upon it, this certainly would not lighten the burden. For that reason I would have preferred that this proposition should have been presented in a different shape.

But there was one remark of the Senator from

But there was one remark of the Senator from Maryland that I wish to advert to. I do not know that I understand the precise offence which the Senator from New York has committed, for which the honorable Senator from Maryland has which the honorable Senator from Maryland has suggested his expulsion. If it be the announcement that there was a higher law than the Constitution, and which we are bound to obey at all times and at all hazards, I myself ought to be expelled, because I believe it. I thought when the Senate went into the choice of a chaplain to perform the ceremony of offering prayer and supplication, that we did recognise that there was a higher Power over us, and I have not heard of late years that it was a crime to recognise a power higher than human power.

Mr. Pratt (in his seat.) No one denies that.
Mr. Pratt (in his seat.) No one denies that.
Mr. Halk. I do remember, recorded in ancient and sacred history, an occasion somewhat analogous to this. It is recorded that on a certain occasion the princes and governors and mighty men casion the princes and governors and migary men of the realm got together, and suggested to the king of Babylon to publish a decree that who ev-er should put up any prayer or petition to any other than the king, for the space of three days, (it was limited to three days only, let it be remembered) should be cast into a den of lions; and I have not heard that that decree was enforced but three days. The operation was such that it never was renewed in the kingdom of Babylon; and I have never heard of any country, civilized or savage, where it has seen a crime to acknowledge, as individuals or as members of an organized Government, that there is a Power higher than your Constitution—that there is a King of kings, and a Lord of lords, before whose face the stubborn pride of the Republic

must bend the knee.

Mr. Foors. Mr. President, will the Senato allow me to ask his Mr. Hale. I will get through in a moment.
Mr. Foote. It is only a short question.
Mr. Hale. Now, sir, I wish this thing to be put
distinctly before us. I wish we might, as individ-

uals, understand whether it is necessary to a seat on this floor for us to put the provisions of our Con-stitution above the behest of the King of kings. What an idle mockery it is to stand up and reverently kiss the Holy Book, and call upon Him to help us to maintain its precepts, when in our bearts we maintain that our Constitution is above even His supreme authority! Sir, if this is crime I am criminal. If the Senate is to be expurgated of everybody who believes that sentiment, let the work commence, and let it commence now. Let the preamble show the offence of which they are guilty; that is, that they believed, high and exalted as the sentiments they entertain of the wisdom and power of the Constitution which our fathers formed—that they irreverently believed that there was a Power higher even than that power, to which republicans as well as kings must bow in submission. If it be a crime, sir, I plead guilty to it. I will not put the Senator from Maryland nor anybody else to the trouble of proving it. I admit it, I believe it. Sir, I be-lieve that you have noright even to bring the su-premacy of your Republic into conflict with the commands of the Most High. I believe that sen-timent in its broadest sense and I have heretafore timent in its broadest sense, and I have heretoft supposed that in the action of our Government in the plenitude of our power and in the unbri-bled state of our pride, come to that pitch of pre-sumption that it was to be considered an offence

ower of the Most High. Mr. Pratt. It is a very easy matter, sir, when an argument based upon one state of facts is made, to answer it by making an argument upon another state of facts which was never dreamed of by the party who made the argument in the first case. Does the Senator from New Hampshire say in his place that he understood Hampshire say in his place that he understood me to say I did not believe in a Supreme Power— that I objected to the Senator from New York for looking to a Supreme Power as a higher law than any human law? Did the Senator so understand me? He knows he did not; and yet he has got up here, in the manner in which he usually argues, using a set of phrases which, however well they may suit certain occasions, and however they may exhibit the talents of the author of them, will not apply to every occasion, and have not just as much application to one state of facts as another. He assumes the facts to suit the phrases, and not his speech to suit the facts.

Now, sir, I never said; and I am sure there is not a Senator who hears me who does not believe that I have a higher respect for that Supreme Power, whose name is so frequently descrated here, than the Senator from New Hampshire. Mr. HALE. Order!

[The Reporter feels called upon to state that he understood the Senator to say "whose name is so frequently desecrated by the Senator from New Hampshire," and so he took down the words at the instant they were uttered; but, upon further reflection, considering that the sentence would have been incomplete by inserting the preposition "by," and that by the Senator's letting his voice fall after the word " New Hampshire" he intended to finish the sentence, the Reporter is forced to the conclusion that his ear was mistaken.

The PRESIDENT. The Senator must not mak Mr. PRATT. I have not made any. Mr. HALE. I call the Senator to order

Mr. PRATT. I have yet to learn that telling the truth is out of order.

The PRESIDENT. The Senator will take his seat until the question of order is stated by the Senator from New Hampshire.

Mr. Halk. I understood the gentleman to say

that I frequently desecrated the name of the Mos High.
Mr. FOOTE (in his seat.) He did not say so.
The Parsident. The Senator from New
Hampshire will reduce his words to writing.
Mr. Hale, having reduced the words to wri-

ing, passed them to the Chair.
The PRESIDENT. The words, as written down by the Senator from New Hampshire, are, that the name of the Most High is frequently deseorated by that Senator."

Mr. Hals. I have not had time to put down the connection in which they occurred, but that

s a part of the language I understood him to Mr. PRATT. I said "so frequently deser

in the Senate."
Mr. Chasz. May I be allowed to suggest that

the words heard by the Senator from New Hamp-shire were, "so frequently descorated here." The PRESIDENT. The Chair will make its decision, and then it will be in order for gentlemen to appeal from it if they choose. The words set down by the Senator from New Hampshire, applying a remark of this character to an individual Senator, would certainly be out of order; but the Chair did not so understand the Senator from Maryland, or he would have felt it his duty to call him to order, as the Chair rarely shrinks

call him to order, as the Chair rarely sh from what he believes to be a discharge of

from what he believes to be a discharge of his duty.

Mr. Hale. I hope it will be understood by the Senate that the words I have taken down were not intentionally misunderstood. I put them down as they struck my ear and the ears of several gentlemen in my vicinity.

Mr. Pratt (resuming) Now, Mr. President, the higher law of which I spoke was not the Divine law to which the Senator refers; and before they can apply that Divine law so as to suffer the Senator with whom this dispute originated to be exempted from the position in which he is placed, his advocates here must assume this: that the Constitution of the United States is violative of that law—that here is the Constitution of the United States, which violates the law of the Supreme Being, and that therefore a person may swear to support that, although he does violate it, with the mental reservation that he is to support it so far as he does not violate it. Now, the whole result of the position in which the advocates of the Senator over the way place themselves is the one which I have stated. I conceive that his position is not altered for the better from that which is taken by his advocates. Now, if the